

DAVID BURCHARD
CHAPTER 13 TRUSTEE
P.O. BOX 8059
FOSTER CITY, CA 94404
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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SANTA ROSA DIVISION**

In re:

LUKE and ALINE UNZELMAN
PO BOX 84
BODEGA BAY, CA 94923

###-##-8348 ###-##-6643
Debtor(s).

Case No.: 10-1-3901AJ13
Chapter 13

NOTICE BY DAVID BURCHARD, CHAPTER 13
TRUSTEE, OF CHAPTER 13 PLAN DEFICIENCIES

341 MEETING OF CREDITORS:

Date: 11/17/2010
Time: 8:00 AM
Place: Office of the United States Trustee
777 Sonoma Ave., First Floor, #116
Santa Rosa, CA 95404

CONFIRMATION HEARING:

Date: 12/20/2010
Time: 1:30 PM
Place: United States Bankruptcy Court
99 South E Street
Santa Rosa, CA 95404

DAVID BURCHARD, Chapter 13 Trustee in the above-entitled action, cannot recommend Confirmation of the Chapter 13 Plan proposed hereunder by Debtor(s) for the following reason(s).

1. Question 9 in the Statement of Financial Affairs indicates that debtors' counsel has received \$48.00 for a credit check, while the plan and the Statement Pursuant to Rule 2016(B) indicate \$1,500.00 has been paid. The Trustee requests that debtors' counsel amend the appropriate schedules so they are accurate and consistent.
2. The Trustee requests a *signed* copy of the 2009 federal tax return.
3. The Trustee requests copies of all payment advices received in the six months prior to the filing of the Bankruptcy (*April through September 2010*), or, in the alternative, a filed debtors' declaration that details why these advices cannot be provided.

PLEASE TAKE NOTICE that, without prior notice, at the above-referenced confirmation hearing date assigned to your Chapter 13 case, the Court may DISMISS the above-referenced case upon making a determination that Debtor(s) has/have not presented a feasible Plan, Debtor(s) has/have not made the required payments under the Plan, Debtor(s) has/have violated the statutory debt limitations set for a Chapter 13 case, Debtor(s) has/have not filed this proceeding in good faith, Debtor(s) has/have not provided documents and/or Schedules and Plan as required under the Bankruptcy code, and/or Debtor(s) has/have not provided the Trustee with Payment Advices or Declarations.

Dated: October 22, 2010

DAVID BURCHARD

DAVID BURCHARD, Chapter 13 Trustee

Certificate of Mailing

I, WENDY KARNES, the undersigned, certify that:

I am over the age of 18 years and not a party to this action. I am employed by the Trustee whose business address is 393 Vintage Park Drive, Suite #150, Foster City, CA. On the date set forth below, I served a copy of the NOTICE BY DAVID BURCHARD, CHAPTER 13 TRUSTEE, OF CHAPTER 13 PLAN DEFICIENCIES, and this Certificate of Mailing, on the persons listed below by following our ordinary business practice for service, which is either deposited in the ordinary course of business with the U.S. Postal Service by first class mail or served by electronic transmission from the Court, if applicable. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

LUKE and ALINE UNZELMAN
PO BOX 84
BODEGA BAY, CA 94923

EVAN LIVINGSTONE
LAW OFFICES OF EVAN LIVINGSTONE
740 FOURTH ST # 215
SANTA ROSA, CA 95404-0000

United States Trustee
235 Pine Street, Suite 700
San Francisco, CA 94104

Dated: October 22, 2010

WENDY KARNES

WENDY KARNES